

**Springerville Planning & Zoning Commission
Regular Meeting Minutes
Jan. 14, 2009**

Present: Gary Deery, Robert MacKenzie, Leah Chavez, Ron Cavanaugh

Staff: Larisa Bogardus, Zoning Administrator; Council liaison Bill Lucas

Public: Kevin Burk, Ron Thebeau, Steve & Susan Erhart, Jody Emerald, Susan Silva, Dustin Sanders

1. CALL TO ORDER

Vice Chair Leah Chavez called the meeting to order at 7:00 p.m.

Roll Call: Present: Gary Deery
Robert MacKenzie
Leah Chavez
Ron Cavanaugh

PUBLIC PARTICIPATION: None.

ADMINISTRATION

2. **ELECT OFFICERS:** MacKenzie/Deery motion to elect Leah Chavez chair. Chavez/Cavanaugh motion to elect Robert MacKenzie vice chair. Passed 4-0.
3. **MINUTES:** Commissioner Deery said his motion on Item 8 of the regular meeting Dec. 10, 2008, was incorrect. It should have said work session rather than future meeting. MacKenzie/Cavanaugh motion to approve the minutes as corrected. Passed 4-0. Commissioner Deery asked how the corrected affected tonight's meeting. Ms. Bogardus said the commission could go ahead and hold the public hearing, then table the matter to a work session if desired.
4. **ZONING ADMINISTRATOR'S REPORT:** Ms. Bogardus said the holidays were quiet and staff has been working to update files and records. There are no pending zoning matters that she is aware of.
5. **LIAISON REPORTS:** Councilman Bill Lucas said the two matters on tonight's agenda were all he had to report. Vice Chair Chavez asked why proposals are being sent back after a second reading. Councilman Lucas said he didn't have a good answer, but that questions were raised and council chose to send them back for review rather than modify P&Z's work. Vice Chair Chavez asked what P&Z could do to avoid this, as it slows things down. Councilman Lucas said he personally had no concerns about P&Z's work and he would encourage council to accept recommendations as presented.

PUBLIC HEARINGS

6. **RV PARKS:** Public hearing regarding the proposed RV Parks regulations. MacKenzie/Cavanaugh motion to open the public hearing regarding the proposed RV park regulations. Passed 4-0.
Ron Thebeau said he felt the regulations were intrusive to business and asked if the commission had received a copy of his concerns. Commissioner MacKenzie advised

him that dialogue is not permitted in a hearing. Ms. Bogardus gave Mr. Thebeau a copy of the staff report and supporting documents, including his concerns. Mr. Thebeau said he felt the commission had focused on a product and not considered the potential effects. A one-acre lot would be reduced by 30 percent to meet setbacks and other spacing requirements. Other communities' regulations are not so restrictive. He noted that no existing park resembles what the new regulations would require; the penalties for non-compliance are serious and would adversely affect new businesses. As a council member, he asked that P&Z consider being more lenient.

MacKenzie/Cavanaugh motion to close the public hearing. Passed 4-0.

7. **COMMERCIAL ZONING:** Public hearing regarding the proposed C-2, Heavy Commercial, zoning class.

Deery/MacKenzie motion to open the public hearing regarding C-2 Heavy Commercial zoning class. Passed 4-0.

Steve Erhart said he asked council to send this matter back for reconsideration because he was invited to attend the first discussion and thought he would be advised of future meetings before the proposal was sent to council. He learned of the pending ordinance at the last minute. His concern is allowing housing of any sort as a conditional use. If necessary, he would accept MF-7, but would oppose MHP under any circumstances. He was not aware of any property owners who favored residential uses in C-2.

Susie Silva said she was representing Doug Henderson, who has historically opposed residential uses in commercial zones. He is concerned that residents would object to heavy uses in the future.

Ron Thebeau objected to the elimination of housing entirely; he felt a business owner should be able to live on site in a single-family home.

Dustin Sanders said it can be difficult to finance a residence in a heavy commercial zone, which could make it difficult for mobile home park dwellers to sell their homes.

Kevin Burk said he has never supported residential uses of any sort in any commercial zone.

Jody Emerald said she likes the C-2 zoning class, but agrees that housing should not be included.

MacKenzie/Cavanaugh motion to close the public hearing. Passed 4-0.

OLD BUSINESS

8. **RV PARKS:** Discussion and possible action regarding the proposed RV Parks regulations.

Ms. Bogardus advised Commissioner Deery that now was the time to table the matter to a work session. Deery/Cavanaugh motion to table the discussion to a work session. Failed 2-2, with Chairman Chavez and Commissioner MacKenzie opposed. Chairman Chavez said the options are to modify the regulations, send them back as written or table the matter. MacKenzie/Chavez motion to send the proposal back to council as written. Failed 2-2, with Commissioners Cavanaugh and Deery opposed. Chairman Chavez said if modifications are wanted, the commission must direct staff. Commissioner Deery said he wanted to go through every point of the ordinance. Chairman Chavez said it has been discussed at length and asked him to be more specific.

Deery/Cavanaugh motion to table the matter. Failed 2-2, with Chairman Chavez and Commissioner MacKenzie opposed.

Ms. Bogardus suggested leaving the matter with no action and moving on to the next agenda item. She would talk to the attorney about options for a tie-breaker.

9. COMMERCIAL ZONING: Discussion and possible action regarding the proposed C-2, Heavy Commercial, zoning class.

MacKenzie motion to send the proposal back to council as written. Motion died for lack of a second.

Chairman Chavez asked what was necessary to delete the housing provisions. Ms. Bogardus said the commission could vote to make the change and forward the amended document to council.

Chavez/MacKenzie motion to delete the provisions for MHP and MF-7 development as conditional uses and forward the document to council. Passed 3-1, with Commissioner Deery opposed.

10. ADJOURNMENT: MacKenzie/Deery motion to adjourn. Passed 4-0.

The meeting adjourned at 7:43 p.m.

Leah Chavez, Chairman